

**STATE OF MINNESOTA  
DEPARTMENT OF COMMERCE**

In the Matter of  
Twin Cities Property Advisors

**CEASE AND DESIST ORDER**

TO: Twin Cities Property Advisors  
380 St. Peter  
St. Paul MN 55102

Alleged Email Address: [contact@twincitiespropertyadvisors.com](mailto:contact@twincitiespropertyadvisors.com)

Minnesota law prohibits any person from acting or holding himself, herself or itself out as real estate licensees without a valid real estate license issued by the Commissioner of Commerce ("Commissioner") as required by Minn. Stat. §82.81, subd. 1 (2012). Minnesota law further prohibits any person from offering or selling an interest in subdivided land in this state unless the interest is registered pursuant to Minn. Stat. §83.23 subd. 1 (2012) or the transaction is exempt from registration pursuant to Minn. Stat. §83.25 (2012). Additionally, Minnesota law prohibits the advertising of properties in any manner that is misleading or inaccurate and the making of any material misrepresentations pursuant to Minn. Stat. §§82.81 subd. 12(8) (9) and 325F.67 (2012).

1. Respondent Twin Cities Property Advisors ("TCPA") does not hold a license that is issued by the Minnesota Department of Commerce ("Department").
2. TCPA also does not hold any licenses that are issued by any other state.
3. According to timeshare property owners who received documentation from TCPA and were contacted by individuals purporting to represent TCPA, TCPA does business at 380 St.

Peter Street, St. Paul Minnesota 55102. A Department investigator visited this address and while the address is valid and houses a number of businesses including a bank, several restaurants and the headquarters of Lawson Software Inc., the security guard at the main entrance had no knowledge of TCPA and stated that TCPA was not a tenant and have never been a tenant of the building at that address.

4. In April 2013, the Department opened an investigation of TCPA after receiving information from the Better Business Bureau of Minnesota and North Dakota ("BBB"). The BBB had received a complaint from E.M., a resident of Canada. E.M. was contacted by TCPA about the potential resale of her timeshare property. The Department contacted E.M. and learned TCPA had provided a proposal for the purchase of E.M.'s property. E.M. provided the Department with a copy of the TCPA proposal which stated that TCPA had secured a purchaser for the resale and had negotiated an offer in the amount of \$29,950. The proposal also indicated that a 6% commission would be charged to E.M. at closing. E.M. did not sign any agreement or proposal with TCPA.

5. TCPA's website claims that for every seller of a vacation property, there is a buyer. Its website also asserts that TCPA uses its years of experience to bring buyers and sellers together in a unique, cost-effective and easy way, and that it matches sellers and buyers through a unique marketing program that sets them apart from their competitors. TCPA also claims to work in much the same way as a traditional real estate broker, but are allegedly able to bring a wider variety of properties from around the world thanks to the power of the internet.

6. The Registrant contact information for the TCPA website shows it was created February 18, 2013. The Registrant's contact information belongs to an individual located at 46 East 4<sup>th</sup> Street St. Paul Minnesota with a telephone number that, through an internet search, was

determined to be assigned to a Wal-Mart store. When the telephone number is dialed, it is answered by a recording saying "Thank you for calling Wal-Mart." When the call is connected with a Wal-Mart employee, the store was identified as being in Vadnais Heights, Minnesota. When asked to speak with the individual who had created the website by name, the Wal-Mart employee did not have any knowledge of that person as being a current or past employee of the store.

7. Using contact information for TCPA provided by E.M., the Department attempted to contact TCPA through the U.S. mail and by email to obtain information. Email sent by the Department to TCPA did not bounce back, and the mail sent by U.S. mail has not been returned. To date, no response or information has been provided by TCPA in response to the Department's requests.

8. TCPA has conducted business within Minnesota without making legally required business filings with the Minnesota Secretary of State pursuant to Minn. Stat. Ch. 302A or Ch. 303.

9. TCPA has engaged in unlicensed real estate sales activity in violation of Minn. Stat. §82.81 subd. 1 (2012).

10. TCPA has engaged in misleading and inaccurate advertising in violation of Minn. Stat. §82.81 subd. 12 (8) and Minn. Stat. §325F.67 (2012).

11. TCPA has made material misrepresentations in violation of Minn. Stat. §82.81 subd. 12 (9) (2012).

12. TCPA has demonstrated untrustworthiness in violation of Minn. Stat. §82.82 subd 1(f) and §45.027 subd. 4 (2012).

This Order is in the public interest.

**NOW, THEREFORE, IT IS HEREBY ORDERED**, pursuant to Minn. Stat. §45.027 subd. 5a (2012) that TCPA shall cease and desist from engaging in fraudulent activity and unlicensed activity of any kind in violation of Minn. Stat. Ch. 82. This Order is effective immediately.

Pursuant to Minn. Stat. §45.027 subd. 5a, TCPA may request a hearing in this matter. Such a request shall be made in writing and served upon the Commissioner. The Commissioner shall then set a date for hearing within 10 days after receipt of a request, unless TCPA and the Department by agreement waive the 10-day time period. If no hearing is requested by TCPA within thirty (30) days of service of this Order and none is ordered by the Commissioner, this Order will become permanent and will remain in effect until modified or vacated by the Commissioner.

In the event a hearing is requested, this Order will remain in effect until it is modified or vacated or made permanent by further order of the Commissioner under Minn. Stat. §45.027 subd 5a (2012). The administrative proceeding provided by Minn. Stat. §45.027 subd. 5a and subsequent appellate judicial review of that administrative proceeding, constitutes the exclusive remedy for determining whether the Commissioner properly issued this Order and whether this Order should be made permanent. The Commissioner reserves the right to seek appropriate remedies including fines, civil penalties and costs associated with our investigation of this matter.

Notwithstanding Minn. Stat. §45.027 subds. 5 or 5a (2012), if TCPA requests a hearing under Minn. Stat. §45.027 subd. 5a, TCPA may, within fifteen (15) days after service of this Order, bring an action in Ramsey County District Court for an injunction to suspend enforcement of this Order pending a final decision of the Commissioner under Minn. Stat. §45.027 subd. 5a

(2012), to vacate or make permanent this Order. The Court shall determine whether to issue such an injunction based on traditional principles of temporary relief.

In the event a hearing is requested in this matter, it will be held before an Administrative Law Judge to be appointed by the Chief Administrative Law Judge for the State of Minnesota, Office of Administrative Hearings, Harold E. Stassen Office Building, State Capitol Complex, 600 North Robert Street. St. Paul, Minnesota 55146. All parties have the right to represent themselves or be represented throughout the proceedings herein by legal counsel or a person of their choice if not otherwise prohibited as the unauthorized practice of law.

The contested case proceedings are conducted under the Minnesota Rules of Professional Conduct and the Professional Aspirations adopted by the Minnesota State Bar Association. The hearing will be conducted under the contested case procedures as prescribed in accordance with Minn. Stat. Ch. 14 and the Rules of the Office of Administrative Hearings, Minn. R. 1400.5100-1400.8401 (2011).

This Order shall be effective upon signature on behalf of the Commissioner.

Dated: 5-28-13.

By:   
MIKE ROTHMAN  
Commissioner

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St. Paul, Minnesota 55101  
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